IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL ACTION NO. 3:08CV198-DCK

| LEAH BURGIN and BOBBY BURGI | N ,) |
|--|-------------|
| Individually and as Co-Ancillary Administrat | or) |
| of the Estate of JAYCEE BURGIN, a decease | ed) |
| minor, and BOBBY BURGIN, Individual | lly) |
| and as Co-Ancillary Administrator of the | he) |
| Estate of JAYCEE BURGIN, a decease | ed) |
| minor, |) |
| |) ORDER |
| Plaintiffs | <u> </u> |
| |) |
| v. |) |
| |) |
| SAGEBRUSH OF NORTH CAROLINA, |) |
| LLC, SAGEBRUSH/TENNESSEE, LLC, |) |
| and HOLTEN MEAT, INC. |) |
| |) |
| Defendants |) |
| |) |
| |) |

THIS MATTER IS BEFORE THE COURT on the "Agreed Motion To Dismiss Action" (Document No. 143) filed April 22, 2010. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review is appropriate.

Having carefully considered the motion, consent of all parties, and for good cause shown, the undersigned will grant the motion.

IT IS, THEREFORE, ORDERED that the "Agreed Motion To Dismiss Action" (Document No. 143) is **GRANTED**. This matter is hereby dismissed with prejudice as to all parties and with all parties' bearing their own costs.

Signed: April 22, 2010

David C. Keesler United States Magistrate Judge